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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 ELISSA SCHWARTZMANN, an individual

Case No. 2:18-CV-01300-JCM-CWH

10 Plaintiff,

11 vs.

STIPULATION AND
ORDER TO REMAND

12 ALBERTSON'S, LLC; ALBERTSON'S
COMPANIES, LLC; DOES 1 through 100 and
13 ROE CORPORATIONS 101 through 200,
inclusive,

14 Defendants.
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16 Plaintiff Elissa Schwartzmann ("Plaintiff") and Defendants Albertson's LLC and
17 Albertson's Companies, LLC (collectively "Defendants") stipulate as follows:

18 1. On April 30, 2018, Plaintiff commenced an action in the Eighth Judicial District Court,
19 Clark County, Nevada, entitled *Elissa Schwartzmann v. Albertson's LLC, et al.* as Case Number
20 A-18-773722-C (the "Action").

21 2. On July 16, 2018, Defendants filed a notice of removal of this Action pursuant to U.S.C.
22 §1441(b) with the United States District Court for the District of Nevada.

23 3. Subsequent to removal, the parties have agreed that the total value of damages in this
24 action does not exceed this Court's requisite amount of seventy-five thousand dollars (\$75,000.00)
25 necessary to maintain subject matter jurisdiction. To that end, the parties hereby stipulate that this

1 Action be remanded to the Eighth Judicial District Court, Clark County, Nevada.

2 4. The parties further stipulate that Plaintiff waives any right to collect recovery of any
3 monies above and beyond the seventy-five thousand dollars (\$75,000.00), exclusive of any
4 interest, fees, and/or costs she may be entitled to, in this Action against Defendants resulting from
5 the incident giving rise to this Action.

6 5. The parties further stipulate that each party shall bear their own attorneys' fees and costs
7 with respect to the removal and subsequent remand of the Action pursuant to this stipulation and
8 order.

9 IT IS SO STIPULATED.

10 DATED: this 11th day of March, 2019.

DATED: this 11th day of March, 2019.

11 **BERNSTEIN & POISSON**

BACKUS, CARRANZA & BURDEN

12 By: /s/ Brian M. Boyer
13 Scott L. Poisson, Esq.
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15 Brian M. Boyer, Esq.
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ORDER

Based on the parties' stipulation and good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS **REMANDED** back to the Eighth Judicial District Court, Clark County, Nevada, Case No. A-18-773722-C, Department 8. The **Clerk of Court** is directed to **CLOSE THIS CASE**.

Dated: March 13, 2019.


UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

BACKUS, CARRANZA & BURDEN

/s/ Jack P. Burden

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